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P E T I T I O N

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OF THE

FRIENDS OF THE PEOPLE.

TO THE HONOURABLE

THE COMMONS OF GREAT BRITAIN,

IN PARLIAMENT ASSEMBLED.

PRESENTED

By CHARLES GREY, Esq.

L O N D O N :

PRINTED FOR J. RIDGWAY, YORK-STREET,
ST. JAMES'S SQUARE.

MDCXCIII.

[Price Three Pence]

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[Press Test Press]

P E T I T I O N

OF THE

F R I E N D S OF THE PEOPLE.

SHEWETH,

THAT by the form and spirit of the British Constitution, the King is vested with the sole Executive Power.

That the House of Lords, consists of Lords Spiritual and Temporal, deriving their titles and consequence either from the Crown or from Hereditary privileges.

That these two powers if they acted without controul, would form either a despotic Monarchy, or a dangerous Oligarchy.

That the wisdom of our ancestors hath contrived, that these authorities may be rendered not only harmless but beneficial; and be exercised for the security and happiness of the people.

That this security and happiness are to be looked for in the introduction of a third estate, distinct from, and a check upon the other two branches of the Legislature, created by representing, and responsible to the people themselves.

That so much depending upon the preservation of this third estate, in such its Constitutional purity and strength, your petitioners are reasonably jealous of whatever may appear to vitiate the one, or to impair the other.

That at the present day, the House of Commons does not fully and fairly represent the people of England, which consistently with what your petitioners conceive to be the principles of the Constitution, they consider as a grievance, and therefore, with all becoming respect lay their complaints before your honourable House.

That though the terms in which your petitioners state their grievance, may be looked upon as strong, yet your honourable

ble House is entreated to believe, that no expression is made use of for the purpose of offence.

Your Petitioners in affirming that your honourable House is not an adequate Representation of the people of England, do but state a fact, which if the word "Representation," be accepted, in its fair and obvious sense, they are ready to prove, and which they think detrimental to their interests, and contrary to the spirit of the Constitution.

How far this inadequate Representation is prejudicial to their interests, your Petitioners apprehend they may be allowed to decide for themselves, but how far it is contrary to the Spirit of the Constitution, they refer to the consideration of your Honourable House.

If your honourable House, shall be pleased to determine, that the people of England ought not to be fully represented; your Petitioners pray that such your determination may be made known, to the end that the people may be apprised of their real situation; but if your honourable House shall conceive that the people are already fully Represented, then your Petitioners beg leave to call your attention to the following facts:

Your Petitioners complain that the number of Representatives assigned to the different Counties is grossly disproportioned to their comparative Extent, population and Trade.

Your Petitioners complain that the elective Franchise is so partially and unequally distributed, and is in so many instances committed to bodies of men of such very limited numbers, that the majority of your Honourable House is elected by less than fifteen thousand electors, which, even if the male adults in the kingdom be estimated at so low a number as three millions, is not more than the hundredth part of the people to be represented.

Your Petitioners complain that the right of voting is regulated by no uniform or rational principle.

Your Petitioners complain that the exercise of the elective Franchise is only renewed once in seven years.

Your Petitioners thus distinctly state the subject matter of their complaints, that your Honourable House may be convinced that they are acting from no spirit of general discontent, and that you may with the more ease be enabled to inquire into the facts, and to apply the remedy.

For the evidence in support of the first complaint your Petitioners refer to the Return Book of your Honourable House.—Is it fitting that Rutland and Yorkshire should bear an equal rank in the scale of County Representation, or can it be right that Cornwall alone should by its extravagant proportion

portion of Borough Members, outnumber not only the Representatives of Yorkshire and Rutland together, but of Middlesex added to them? Or, if a distinction be taken between the landed, and the trading interests, must it not appear monstrous that Cornwall and Wiltshire, should send more Borough Members to Parliament, than Yorkshire, Lancashire, Warwickshire, Middlesex, Worcestershire, and Somersetshire united? and that the total Representation of all Scotland should but exceed by one Member, the number returned for a single County in England?

The SECOND COMPLAINT of your Petitioners, is founded on the unequal proportions in which the elective Franchise is distributed, and in support of it.

They affirm, that seventy of your Hon. Members are returned by thirty-five places, where the right of voting is vested in Burgage and other Tenures of a similar description, and in which it would be to trifle with the patience of your Honourable House, to mention any number of voters whatever, the elections of the places alluded to, being notoriously a mere matter of form. And this your Petitioners are ready to prove.

They affirm, that in addition to the seventy Honourable Members so chosen ninety more of your Honourable Members are elected by forty-six places, in none of which the number of voters exceeds fifty. And this your Petitioners are ready to prove.

They affirm, that in addition to the hundred and sixty so elected, thirty-seven more of your Honourable Members are elected by nineteen places, in none of which the number of voters exceeds one hundred. And this your Petitioners are ready to prove.

They affirm, that in addition to the hundred and ninety-seven Honourable Members so chosen, fifty-two more are returned to serve in Parliament, by twenty-six places, in one of which the number of voters exceeds two hundred. And this your Petitioners are ready to prove.

They affirm, that in addition to the two hundred and forty-nine so elected twenty more are returned to serve in Parliament for counties in Scotland, by less than one hundred Electors each, and ten for counties in Scotland by less than two hundred and fifty each. And this your Petitioners are ready to prove, even admitting the validity of fictitious votes.

They affirm, that in addition to the two hundred and seventy-nine so elected, thirteen districts of Burghs in Scotland, not containing one hundred votes each, and two districts of Burghs, not containing one hundred and twenty-five each,

return fifteen more Honourable Members, and this your Petitioners are ready to prove.

And in this manner, according to the present state of the Representation, two hundred and ninety-four of your Honourable Members are chosen, and being a majority of the entire House of Commons, are enabled to decide all questions in the name of the whole people of England and Scotland.

The third complaint of your Petitioners is founded on the present complicated rights of voting. From the caprice with which they have been varied, and the obscurity in which they have been involved by time and contradictory decisions, they are become a source of infinite confusion, litigation, and expence.

Your Petitioners need not tender any evidence of the inconveniences which arise from this defect in the Representation, because the proof is to be found in your journals and the minutes of the different Committees who have been appointed under the 10th and 11th of the King. Your Honourable House is but too well acquainted with the tedious, intricate, and expensive scenes of litigation which have been brought before you, in attempting to settle the legal import of those numerous distinctions, which perplex and confound the present rights of voting. How many months of your valuable time have been wasted in listening to the wrangling of Lawyers, upon the various species of Burgagehold, Leasehold, and Freehold? How many Committees have been occupied in investigating the nature of Scot and Lot, Potwallers, Commonalty, Populacy, resident Inhabitants and Inhabitants at large? What labour and research have been employed in endeavouring to ascertain the legal claims of Boroughmen, Aldermen, Portmen, Select men, Burgesses, and Council Men. And what confusion has arisen from the complicated operation of clashing Charters, from freemen resident and non-resident, and from the different modes of obtaining the freedom of Corporations by birth, by servitude, by marriage, by redemption, by election, and by purchase? On all these points, it is however, needless for your Petitioners to enlarge, when your Honourable House recollects the following facts; namely, that since the twenty-second of December, one thousand, seven hundred, and ninety, no less than twenty-one Committees have been employed in deciding upon litigated rights of voting. Of these, eight were occupied with the disputes of three Boroughs, and there are Petitions from four places yet remaining before your Honourable House, waiting for a final decision to inform the Electors what their rights really are.

But the complaint of your Petitioners on the subject of the want of an uniform and equitable principle in regulating the right

right of voting, extends as well to the arbitrary manner in which some are excluded, as to the intricate qualifications by which others are admitted to the exercise of that privilege.

Religious Opinions create an incapacity to vote. All Papists are excluded generally, and by the operation of the Test Laws, Protestant Dissenters are deprived of a voice in the election of Representatives in about thirty Boroughs, where the right of voting is confined to Corporate Officers alone; a deprivation the more unjustifiable, because though considered as unworthy to vote, they are deemed capable of being elected, and may be the representatives of the very places for which they are disqualified from being the Electors.

A man possessed of one thousand pounds per annum, or any other sum, arising from copyhold, leasehold for ninety-nine years, trade, property in the Public Funds, or even freehold in the city of London, and many other cities and towns having peculiar jurisdictions, is not thereby entitled to vote. Here again a strange distinction is taken between electing and representing, as a copyhold is a sufficient qualification to sit in your Honourable House.

A man paying taxes to any amount how great soever, for his domestic establishment, does not thereby obtain a right to vote, unless his residence be in some borough where that right is vested in the inhabitants. This exception operates in sixty places, of which twenty-eight do not contain three hundred voters each and the number of householders in England and Wales (exclusive of Scotland), who pay all taxes, are seven hundred and fourteen thousand, nine hundred and eleven; and of householders who pay all taxes, but the House and Window Taxes, are two hundred and eighty-four thousand four hundred and fifty-nine, as appears by a return made to your Honourable House, in one thousand seven hundred and eighty-five; so that even supposing the sixty places above mentioned, to contain, one with another, one thousand voters in each, there will remain nine hundred and thirty-nine thousand three hundred and seventy householders who have no voice in the Representation, unless they have obtained it by accident or by purchase. Neither their contributions to the public burdens, their peaceable demeanour, as good subjects, nor their general respectability and merits, as useful citizens, afford them, as the law now stands, the smallest pretensions to participate in the choice of those, who, under the name of their Representatives, may dispose of their fortunes and liberties.

In Scotland, the grievance arising from the nature of the rights of voting, has a different and still more intolerable operation. In that great and populous division of the kingdom, not only the great mass of the householders, but of the landholders also are excluded from all participation in the choice of the Representatives. By the remains of the feudal system in the counties, the vote is severed from the land, and attached to what is called the superiority. In other words, it is taken from the substance, and transferred to the shadow, because, though each of these superiorities must, with very few exceptions, arise from lands of the present annual value of four hundred pounds sterling, yet it is not necessary that the lands should do more than give a name to the superiority, the possessor of which may retain the right of voting, notwithstanding he be divested of the property. And on the other hand, great landholders have the means afforded them, by the same system of adding to their influence, without expence to themselves, by communicating to their confidential friends the privilege of electing Members to serve in Parliament. The process by which this operation is performed is simple. He who wishes to increase the number of his dependant votes, surrenders his charter to the Crown; and, parcelling out his estate into as many lots of four hundred pounds per annum as may be convenient, conveys them to such as he can confide in. To these new charters are, upon applications, granted by the Crown, so as to erect each of them into a superiority which privilege once obtained, the land itself is reconveyed to the original grantor; and thus the Representatives of the landed interest in Scotland, may be chosen by those who have no real or beneficial interest in the land.

Such is the situation in which the counties of Scotland are placed. With respect to the burghs, every thing that bears even the semblance of popular choice has long been done away. The election of Members to serve in Parliament is vested in the Magistrates and Town Councils, who having, by various innovations, constituted themselves into self-elected bodies, instead of Officers freely chosen by the inhabitants at large, have deprived the people of all participation in that privilege, the free exercise of which affords the only security they can possess for the protection of their liberties and property.

The FOURTH and LAST COMPLAINT of your Petitioners is the length of the duration of Parliaments. Your Hon. House knows, that by the ancient laws and statutes of this kingdom frequent Parliaments ought to be held; and that the sixth of William and Mary, c. 2. (since repealed) speaking while

while the spirit of the Revolution was yet warm declared, that "frequent and new Parliaments tend very much to the happy union and good agreement between King and people;" and enacted, that no Parliament should last longer than for three years. Your Petitioners, without presuming to add to such an authority, by any observations of their own, humbly pray that Parliaments may not be continued for seven years.

Your Petitioners have thus laid before you the specific grounds of complaint, from which they conceive every evil in the representation to spring, and on which they think every abuse and inconvenience is founded.

What those abuses are and how great that inconvenience is, it becomes your Petitioners to state, as the best means of justifying their present application to your Honourable House.

Your Petitioners then affirm, that from the combined operation of the defects they have pointed out, arise those scenes of confusion, litigation, and expence, which so disgrace the name, and that extensive system of private patronage which is so repugnant to the spirit of free Representation.

Your Petitioners intreat of your Honourable House to consider the manner in which elections are conducted, and to reflect upon the extreme inconvenience to which electors are exposed, and the intolerable expence to which candidates are subjected.

Your Honourable House knows that tumults, disorders, outrages, and perjury, are too often the dreadful attendants on contested elections as at this time carried on.

Your Honourable House knows that polls are only taken in one fixed place for each county, city, and borough, whether the number of voters be ten or ten thousand, and whether they be resident or dispersed over England.

Your Honourable House knows that polls, however few the electors, may by law be continued for fifteen days, and even then be subjected to a scrutiny.

Your Honourable House knows, that the management and conduct of polls is committed to returning officers, who from the very nature of the proceedings, must be invested with extensive and discretionary powers, and who, it appears, by every volume of your journals, have but too often exercised those powers with the most gross partiality and the most scandalous corruption.

Of elections arranged with such little regard to the accommodation of the parties, acknowledged to require such a length of time to complete, and trusted to the superintendence of such suspicious agents, your Petitioners might easily draw out a detail of the expence, but it is unnecessary. The fact is too
notorious

notorious to require proof, that scarce an instance can be produced where a Member has obtained a disputed seat in Parliament, at a less cost than from two to five thousand pounds; particular cases are not wanting where ten times these sums have been paid, but it is sufficient for your Petitioners to affirm, and to be able to prove it if denied, that such is the expence of a contested return, that he who should become a Candidate with even greater funds than the law requires him to swear to as his qualification to sit in your Honourable House, must either relinquish his pretensions on the appearance of an opposition, or so reduce his fortune in the contest, that he could not take his seat without perjury.

The revision of the original polls before the committees of your Honourable House upon appeals from the decisions of the returning officers, affords fresh sources of vexation and expence to all parties. Your Hon. house knows that the complicated rights of voting, and the shameful practices which disgrace election proceedings, have so loaded your Table with Petitions for judgment and redress, that one half of the usual duration of a Parliament has scarcely been sufficient to settle who is entitled to sit for the other half, and it was not till within the last two months that your Honourable House had an opportunity of discovering that the two gentleman, who sat and voted near three years as the Representatives of the borough of Stockbridge, had procured themselves to be elected by the most scandalous bribery, and that the two gentlemen who sat and voted during as long a period for the borough of Great Grimsby had not been elected at all.

In truth all the mischiefs of the present system of representation are ascertained by the difficulties which even the zeal and wisdom of your Honourable House experiences in attending to the variety of complaints brought before you, though your Committees sit five hours every day from the time of their appointment, they generally are unable to come to a decision in less than a fortnight, and very frequently are detained from thirty to forty days. The Westminster case in one thousand seven hundred and eighty-nine, will even furnish your Honourable House with an instance, where, after deliberating forty five days, a Committee gravely resolved that "from an attentive consideration of the circumstances relating to the cause, a final decision of the business before them could not take place in the course of the Session, and that not improbably the whole of the Parliament (having at that time near two years longer to sit) might be consumed in a tedious and expensive litigation; and they recommended it to the Petitioners to withdraw their Petition, which, after a fruitless perseverance of

of above three months, they were actually obliged to submit to.

Your Petitioners will only upon this subject further add, that the expence to each of the parties, who have been either plaintiff or defendant in petitions tried before your Honourable House in the present Session, has, upon an average, amounted to above one hundred pounds per day ; and that the attorneys bills in one cause, the trial of which in point of form only lasted two days, and in point of fact only six hours, amounted to very near twelve hundred pounds. And this your Petitioners are ready to prove.

Your Petitioners must now beg leave to call the attention of your Honourable House to the greatest evil produced by these defects in the representation of which they complain ; namely, the extent of PRIVATE PARLIAMENTARY PATRONAGE ; an abuse which obviously tends to exclude the great mass of the people from any substantial influence in the election of the House of Commons, and which, in its progress, threatens to usurp the sovereignty of the country to the equal danger of the King, of the Lords, and of the Commons.

The Patronage of which your Petitioners complain is of two kinds : That which arises from the unequal distribution of the Elective Franchise, and the peculiar rights of voting by which certain places return Members to serve in Parliaments ; and that which arises from the expence attending contested elections, and the consequent degree of power acquired by wealth.

By these two means a weight of Parliamentary influence has been obtained by certain individuals, forbidden by the spirit of the laws, and in its consequences most dangerous to the Liberties of the People of Great Britain.

The operation of the first species of patronage is direct, and subject to positive proof. Eighty-four individuals do by their own immediate authority send one hundred and fifty-seven of your Honourable Members to Parliament. And this your Petitioners are ready, if the fact be disputed, to prove, and to name the Members and the Patrons.

The second species of patronage cannot be shewn with equal accuracy, though it is felt with equal force.

Your Petitioners are convinced, that in addition to the one hundred and fifty-seven Honourable Members above-mentioned, one hundred and fifty more, making in the whole three hundred and seven, are returned to your Honourable House, not by the collected voice of those whom they appear to represent, but by the recommendation of seventy powerful individuals, added to the eighty-four before-mentioned, and making the
total

total number of Patrons altogether only one hundred and fifty-four, who return a decided majority of your Honourable House.

If your Honourable House will accept as evidence the common report and general belief of the Counties, Cities, and Boroughs, which return the Members alluded to, your Petitioners are ready to name them, and to prove the fact; or if the Members in question can be made parties to the enquiry, your Petitioners will name them, and be governed by the testimony which they themselves shall publicly give. But if neither of these proofs be thought consistent with the proceedings of your Honourable House, then your Petitioners can only assert their belief of the fact, which they hereby do in the most solemn manner, and on the most deliberate conviction.

Your Petitioners entreat your Honourable House to believe that, in complaining of this species of influence, it is not their intention or desire to decry or to condemn that just and natural attachment which they, who are enabled by their fortune, and inclined by their disposition, to apply great means to Honourable and benevolent ends, will always insure to themselves. What your Petitioners complain of is, that property, whether well or ill employed, has equal power; that the present system of Representation gives to it a degree of weight which renders it independent of character; enables it to excite fear as well as procure respect, and confines the choice of electors within the ranks of opulence; because though it cannot make riches the sole object of their affection and confidence, it can and does throw obstacles, almost insurmountable, in the way of every man who is not rich, and thereby secures to a select few the capability of becoming Candidates themselves, or supporting the pretensions of others. Of this your Petitioners complain loudly, because they conceive it to be highly unjust, that, while the language of the law requires from a Candidate no greater estate, as a qualification, than a few hundred pounds per annum, the operation of the law should disqualify every man, whose rental is not extended to thousands; and that at the same time, that the legislature appears to give the electors a choice from amongst those who possess a moderate and independent competence, it should virtually compel them to chuse from amongst those who themselves abound in wealth, or are supported by the wealth of others.

Your Petitioners are the more alarmed at the progress of private patronage, because it is rapidly leading to consequences which menace the very existence of the Constitution.

At the commencement of every session of Parliament, you
Honou

Honourable House, acting up to the laudable jealousy of your predecessors, and speaking the pure, constitutional language of a British House of Commons, resolve, as appears by your journals, "That no Peer of this realm hath any right to give his "vote in the election of any Member to serve in Parliament;" and also, "That is a high infringement upon the liberties "and privileges of the Commons of Great Britain, for any "Lord of Parliament, or any Lord Lieutenant of any County, to concern themselves in the elections of Members to "serve for the Commons in Parliament."

Your Petitioners inform your Honourable House, and are ready to prove it at your bar, that they have the most reasonable grounds to suspect than no less than one hundred and fifty of your Honourable Members owe their elections entirely to the interference of Peers, and your Petitioners are prepared to shew by legal evidence, that forty Peers, in defiance of your resolutions, have possessed themselves of so many burgage tenures, and obtained such an absolute and uncontroled command in very many small Boroughs in the kingdom, as to be enabled by their own positive authority to return eighty-one of your Honourable Members.

Your Petitioners, will, however, urge this grievance of the interference of Peers in elections no further, because they are satisfied that it is unnecessary. Numbers of your Honourable Members must individually have known the fact, but collectively your Honourable House has undoubtedly been a stranger to it. It is now brought before you by those who tender evidence of the truth of what they assert; and they conceive it would be improper in them to ask that by Petition, which must be looked for as the certain result of your own honourable attachment to your own liberties and privileges.

Your Petitioners have thus laid before your Honourable House, what the mischiefs are which arise from the present state of the Representation, and what they conceive to be the grounds of those mischief, and therefore pray to have removed.

They now humbly beg leave to offer their reasons, why they are anxious that some remedy should be immediately applied.

Your Petitioners trust they may be allowed to state, because they are ready to prove, that seats in your Honourable House are sought for at a most extravagant and increasing rate of expence.

What can have so much augmented the ambition to sit in your Honourable House, your Petitioners do not presume actually to have discovered, but the means taken by Candidates to obtain, and by electors to bestow that honour, evidently appear

pear to have been increasing in a progressive degree of fraud and corruption. Your Petitioners are induced to make this assertion by the legislature, having found it necessary during the last and present reigns, so much to swell the statute book, with laws for the prevention of those offences.

As far as conjecture can lead your Petitioners, they must suppose, that the increased National Debt, and the consequent increase of influence, are the causes of the increased eagerness of individuals, to become Members of the House of Commons, and of their indifference as to the means used to gratify their speculations. To prove that they do not state this wantonly, or without substantial grounds, they humbly beg to call your attention to the following table, all the vouchers for which, are to be found in the journals of your Honourable House, or in different acts of Parliament.

At the Revolution.—The Public Revenue did not exceed 2,100,000l.

The Peace Establishment had not exceeded 1,900,000.

The number of Statutes found necessary to preserve the freedom and independence of Parliament, to regulate elections, and to prevent frauds, bribery, &c. amounted only to 14

At the death of William III.—The Public Revenue had increased to about 3,900,000.

The Peace Establishment had increased to about 1,950,000.

The number of statutes found necessary to preserve the freedom of Parliament, to prevent bribery, &c. increased to - - - 26

At the death of Queen Anne.—The Public Revenue had increased to about 6,000,000.

The Peace Establishment had increased to about 2,000,000.

The number of Statutes found necessary to preserve the freedom of Parliament, to prevent bribery, &c. increased to - - - 35

At the death of George I.—The Public Revenue had increased to about 6,800,000.

The Peace Establishment had increased to about 2,600,000.

The number of Statutes found necessary to preserve the freedom of Parliament, to prevent bribery, &c. increased to - - - 37

At the death of George II.—The Public Revenue had increased to about 8,600,000.

The Peace Establishment had increased to about 2,800,000.

The number of Statutes found necessary to preserve the freedom of Parliament, to prevent bribery, &c. increased to - - - 49

In the 31st year of the reign of his present Majesty.—The Public Revenue had increased to above	The number of Statutes, found ne- cessary to preserve the freedom of Parliament, to prevent bribery, &c. increased to	16,000,000. 65
The Peace Establishment had in- creased to above		5,000,000.

It is upon this evidence of the increase of taxes, establishments, and influence, and the increase of laws found necessary to repel the increasing attacks upon the purity and freedom of elections, that your Petitioners conceive it high time to enquire into the premises.

Your Petitioners are confident, that in what they have stated, they are supported by the evidence of facts, and they trust, that in conveying those facts to your Honourable House, they have not been betrayed into the language of reproach, or disrespect. Anxious to preserve in its purity a constitution they love and admire, they have thought it their duty to lay before you, not general speculations deduced from theoretical opinions, but positive truths susceptible of direct proof, and if in the performance of this task, they have been obliged to call your attention to assertions which you have not been accustomed to hear, and which they lament that they are compelled to make, they intreat the indulgence of your Honourable House.

Your Petitioners will only further trespass upon your time, while they recapitulate the objects of their prayer, which are,

That your Honourable House will be pleased to take such measures, as to your wisdom may seem meet, to remove the evils arising from the unequal manner in which the different parts of the kingdom are admitted to participate in the Representation.

To correct the partial distribution of the elective Franchise, which commits the choice of Representatives to select bodies of men of such limited numbers as renders them an easy prey to the artful, or a ready purchase to the wealthy.

To regulate the right of voting upon an uniform and equitable principle.

And finally to shorten the duration of Parliaments, and by removing the causes of that confusion, litigation and expence, with which they are at this day conducted, to render frequent and new elections, what our ancestors at the Revolution asserted them to be, the means of a happy union and good agreement between the King and People.

And your Petitioners shall ever Pray.

In the year 1841, the British Government
passed an Act for the better regulation
of the trade in opium between
the British Islands and
the East Indies.

The object of this Act was to
regulate the trade in opium
between the British Islands
and the East Indies, and to
prevent the sale of opium
in the British Islands to
the East Indies.

The Act provided that no
opium should be sold in the
British Islands to the East
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Printed by J. G. & Co. 1841.